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Brett

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hetzler et al.) Art Unit: 2672
Serial No: 09/365,342)
Filed: 07/30/1999) Examiner: Havan, Thu Thao
For: METHOD AND APPARATUS FOR)
ENTITY RELATIONSHIP) Paper No:
VISUALIZATION) File No: G-305
) Date: June 3, 2003
)

CERTIFICATE OF FACSIMILE

SENT VIA FACSIMILE TO:
Attn: Examiner Havan, Thu Thao, (703) 746-6044

Dear Sir:

The undersigned hereby certifies that the attached:

- Response to Notice of Abandonment Dated 05/21/03 (3 pages)
- Original PTO form PTO/SB/31 (1 page)
- Original PTO form PTO/SB/22 (1 page)
- Original Associate Power of Attorney w/ cert. of mailing (1 page)
- Original Return Postcard (1 page)

were sent via FACSIMILE to the United States Patent and Trademark Office:
Attn: Examiner Havan, Thu Thao, (703) 746-6044 on the date set forth below.


Signature

June 3, 2003
Date of Deposit

Douglas E. McKinley, Jr.
Reg. No. 40,280
PO Box 202
Richland, WA 99352
Voice (509) 628-0809
Fax (509) 628-2307

Appl. No. 09/365,342
Reply dated May 21, 2003
to Notice of Abandonment dated May 21, 2003

Appl. No. 09/365,342
Applicant Hetzler, Elizabeth G., et al.
Filed 07/30/1999
Title Method and Apparatus For Entity Relationship Visualization

TC/A.U. 2672
Examiner Havan, Thu Thao

Docket No. G-305

Sent Via Facsimile (703)-746-5949
Attn: Michael Razavi

Response to Notice of Abandonment

Sir:

In response to the Notice of Abandonment of May 21, 2003, please find enclosed the following evidence and explanation establishing that the subject patent application has not been abandoned.

Remarks/Arguments begin on page 2 of this paper.

Appl. No. 09/365,342
Reply dated May 21, 2003
to Notice of Abandonment dated May 21, 2003

Remarks/Arguments

In the Examiner's Notice of Abandonment dated May 21, 2003, the Examiner states that the applicant failed to timely file a proper reply to the Office letter mailed on 17 September 2002. The Applicant respectfully disagrees.

On January 13, 2003, the Applicant, by and through the undersigned attorney, filed a notice of appeal using PTO form PTO/SB/31, a petition for extension of time using PTO form PTO/SB/22, an Associate Power of Attorney, and a return postcard in a single mailing addressed to the Assistant Commissioner for Patents, Washington DC, 20231. The correspondence included a certificate of mailing, and copies of each of these documents are included herewith as exhibits.

The postcard was returned, marked as having been received by the PTO January 21, 2003. A copy of the USPTO stamped postcard is also included herewith as an exhibit. On January 23, 2003, the undersigned's deposit account was charged the fees for both the Notice of Appeal and for the extension of time.

Plainly, the Applicant's response to the Office letter mailed on 17 September 2002 was mailed in a timely manner, was received by the USPTO, and, at least to the extent that the undersigned's deposit account was charged, was acted on by the USPTO. Therefore, the applicant did not fail to timely file a proper reply to the Office letter mailed on 17 September 2002 and did not abandon the application. The applicant respectfully requests that the Examiner rescind the Notice of Abandonment dated May 21, 2003 and either allow the application, or allow the appeals process to run its course.

The applicant further notes that on March 13, 2003, the applicant timely filed the required Brief on Appeal together with the required fees. Included with that correspondence was another certificate of mailing and a return postcard. The postcard for the Brief on Appeal

Appl. No. 09/365,342
Reply dated May 21, 2003
to Notice of Abandonment dated May 21, 2003

was also returned with the USPTO stamp affixed thereto, indicating that it also had been received by the USPTO in good order.

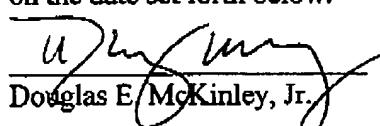
Applicant has made an earnest attempt to place the above referenced application in condition for allowance and action toward that end is respectfully requested. Should the Examiner have any further observations or comments, he is invited to contact the undersigned for resolution.

Respectfully submitted,


Douglas E. McKinley, Jr.
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The undersigned hereby certifies that this correspondence was sent via facsimile (703)-746-5949 to the United States Patent and Trademark Office, attn: Michael Razavi, on the date set forth below.


Douglas E. McKinley, Jr.

May 28, 2003
date

First Class Mail Mailed January 13 2003

First Class Mail Mailed January 13, 2003

In re Application of: Hetzler et al.

Serial No: 09/365,342 Filed: 07/30/1999

METHOD AND APPARATUS FOR ENTITY RELATIONSHIP VISUALIZATION

Art Unit 2672
Attorney Docket No. G-305

ENCLOSED FOR FILING ARE:

1. Notice of Appeal, PTO/SB/31 (1 page, 2 copies)
2. Petition for Extension of Time, PTO/SB/22 (1 page)
3. Power of Attorney and Change of Correspondence Address (1 page)

